

## **REMARKS**

Thanks for Examiner's suggestion to the present invention. Although in second office action, Examiner still reject the novelty of the present invention, I have still some reasons which can build the novelty of the present invention for being allowed with patent right. These reasons will be described in the following.

Indeed the citations disclose some features of the present invention, and the applicant agrees with these viewpoints, however applicant discovers that some features of the present invention are not wholly disclosed by the citations, which are claimed in the original specifications and especially drawings.

To overcome the citation, the applicant decides to cancel Claims 1 to 7, without prejudice or disclaimer of the subject matter thereof, and add new claims 8 and 9. The added new claim 8 is the combination of original claims 1, 2, 3 and 4 and some feature in the original drawings and the new claim 9 is the combination of the original claims 1, 2, 3 and 5 and some features in the original drawings. Thereby, it is assured that the new claims are based on the original claim and specification and thus no new matter is added. The claims 8 and 9 are listed the following remark, which shows the relation of the claims 8 and 8 to the original claims and specification.

### **LIST OF CLAIMS:**

Claims 1 to 7 (cancelled)

Claim ~~8~~ ~~6~~ ~~4~~ (New, combination of original claim 1, 2, 3, and 4 and some new features) An adjustable spanner, comprising a main body having an end formed with a drive portion formed with a fixed jaw and a slideway, an adjustment screw rotatably mounted in a main body, and a movable jaw movably mounted on the drive portion and having a bottom formed with a rack

slidably mounted in the slideway of the drive portion and engaged with the adjustment screw; another end of the adjustable spanner being a handle with two parallel sides and one round end; wherein

the drive portion has a first side 201 and a second side 202;

the second side of the drive portion is formed with an inclined face inclined toward the first side of the drive portion, so that an included angle is defined between the inclined face of the second side of the drive portion and the first side of the drive portion.

~~2. The adjustable spanner in accordance with claim 1,~~ wherein the first side 201 of the drive portion is in parallel with the main body.

~~3. The adjustable spanner as claimed in claim 1,~~ wherein the included angle between the inclined face of the second side of the drive portion and the first side of the drive portion is about 10 to 20 degrees.

~~4. The adjustable spanner as claimed in claim 1,~~ wherein the inclined face of the second side of the drive portion is extended upward from a horizontal extension of a bottom of an inclined angle of the fixed jaw, so that the second side of the drive portion is inclined relative to the first side of the drive portion;;

Claim 9 ~~7~~ ~~4~~ (New, combination of original claims 1, 2, 3, and 5, and some new features) An adjustable spanner, comprising a main body having an end formed with a drive portion formed with a fixed jaw and a slideway, an adjustment screw rotatably mounted in a main body, and a movable jaw movably mounted on the drive portion and having a bottom

formed with a rack slidably mounted in the slideway of the drive portion and engaged with the adjustment screw; another end of the adjustable spanner being a handle with two parallel sides and one round end;; wherein

the drive portion has a first side and a second side;

the second side of the drive portion is formed with an inclined face inclined toward the first side of the drive portion, so that an included angle is defined between the inclined face of the second side of the drive portion and the first side of the drive portion.

~~2. The adjustable spanner in accordance with claim 1,~~ wherein the first side of the drive portion is in parallel with the main body.

~~3. The adjustable spanner as claimed in claim 1,~~ wherein the included angle between the inclined face of the second side of the drive portion and the first side of the drive portion is about 10 to 20 degrees.

~~5. The adjustable spanner in accordance with claim 1,~~ wherein the inclined face of the second side of the drive portion is extended upward from a horizontal extension of a bottom of the rack, so that the second side of the drive portion is inclined relative to the first side of the drive portion.

### **Discussion Of the Novelty of the New Claims 6 and 7**

In this amendment, we add new 8 and 9. The new claim 8 is amended from the claim 6 (previous presented) and some new features illustrated in figures of the present invention. The new claim 9 is amended from the claim 7 (previous presented) and some new features illustrated in figures of the present invention.

(A) As illustrated in the title of the present invention, the present invention is related to an adjustable spanner. Thereby it is apparent that the present invention is used to adjustable spanners instead of spanners of other forms.

From this view point, the two citations USP 1,261,565 and USP 1,393,399 are not related to adjustable spanner.

Although the citation USP 2,688,893 relates to adjustable spanners, but it does not confine that the drive portion has a first side 201 and a second side 202; the first side is inclined to the second side.

Thereby this builds the novelty of the present invention. However, commercially, there is no prior art which discloses any adjustable spanner has also the features that the first side is inclined to the second side as the present invention.

(B) In this amendment, we add a confinement that “another end of the adjustable spanner being a handle with two parallel side and one round end;”. From the viewpoint, referring to Figs. 1 to 3, the citation USP 1,261,565 has two ends which all have the designs of first side and second side. The citation has no any handle as the present invention.

Furthermore, referring to citation USP 1,393,399, those described in Figs. 1 and 2 are not spanner, which are pliers. See Figs. 1 to 3, the citation USP 1,393,399 has two ends which all have the designs of first side and second side. The citation has no any handle as the present invention.

Thereby from this viewpoint, the two citations have not features of the the present invention about the design of the handle.

(C) Moreover, in the present invention, the features in the original claim 3 is added to the new claims 6 and 7, which do not disclose in any citation. The reason to confine the claims to the scope is that, from the

experience of the applicant which works in this field for a very long time, the angle of between 10 to 20 degrees is most beneficial to the human operation, which cause that user can operate the spanner easily and conveniently. If the angle is too large, it will induce that the user must lift his or her elbow to a higher place so that the user will fee uneasy and moreover, the user cannot give a force to the spanner effectively. **However the confinement of the angle between 10 to 20 degrees is not selected as desired, it is got from the experience.**

(D) The features in claims 4 is incorporated into the claim 6 and the features of claim 5 is incorporated into the claim 7. These two features limit the inclined face of the drive portion. However the initial position of the inclined face has the effect to the operation. For example, if the initial position of the inclined face is from the opening between the elements 21 and 24 of the present invention, as shown in Fig. 1. It is apparent that it will induce a great inconvenience in operation since the screw can not be tightly clamped between the elements 21, 24.

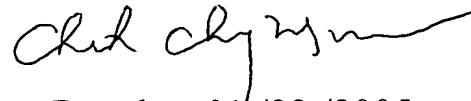
Moreover, if the inclined face is initiated after the horizontal extension of the bottom of the rack, it will induce that the drive portion become too heavy so that it becomes inconvenient in operation and the cost is increased.

Limitation of the inclined face is derived from the long period experience of the applicant.

Since in above discussion, it is apparent that no prior art has the features of the present invention, especially in new claims 8 and 9. Furthermore, as we know that no other prior art has features of the present invention. Thus, the present invention is novel and inventive.

It is now believed that the subject Patent Application has been placed in condition for allowance, and such action is respectively requested.

Respectfully submitted.



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